

	<p><b>IDEM Permit Guide:</b>  <b>Miscellaneous Air Code Citations</b></p> <p><a href="http://www.IN.gov/idem/guides/permit/air/aircodecitation.html">www.IN.gov/idem/guides/permit/air/aircodecitation.html</a></p>
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## Miscellaneous Air Code Citations

Below are a few of the many key definitions which apply to the air permitting program. However, persons intending to engage in activities which may result in air emissions of regulated pollutants are advised they must be in compliance with the [U.S. Code of Federal Regulations](#) (scroll down to Subchapter C--air Programs) and the Indiana [statutes](#) and [rules](#) regarding Air Pollution Control, including the December 25, 1998, revisions to [Rule 2](#), the rules regarding air construction permits.

### 326 IAC 2-1.1-1(16)

**“Potential to Emit”** means the maximum capacity of a stationary source or emissions unit to emit any air pollutant under physical and operational design. Any physical or operation limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation is enforceable by the U.S. EPA, the department, or the appropriate local air pollution control agency. The term does not alter or affect the use of potential to emit for any other purpose under the Clean Air Act, (or the term “capacity factor” as used in Title IV of the Clean Air Act) or the regulations promulgated thereunder.

### 326 IAC 1-2-73

#### **“Source”**

An aggregation of one (1) or more stationary emissions units that are located on one (1) piece of property or on contiguous or adjacent properties, are owned or operated by the same person (or persons under common control), and belong to a single major industrial grouping. For purposes of defining a source, two (2) or more contiguous or adjacent properties shall be considered part of a single major industrial grouping if all the pollutant emitting activities at such contiguous or adjacent properties belong to the same major group, that is, all have the same two-digit Standard Industrial Classification (SIC) code as described in the Standard Industrial Classification Manual, 1987. Any stationary source (or group of stationary sources) that supports another source, where both are under common control of the same person (or persons under common control) and are located on contiguous or adjacent properties, shall be considered a support facility and part of the same source regardless of the two (2) digit SIC code for that support facility. A stationary

source (or group of stationary sources) is considered a support facility to a source if at least fifty percent (50%) of the output of the support facility is dedicated to the source. A source does not include mobile sources, nonroad engines, or nonroad vehicles.

#### 326 IAC 1-2-23.5

**“Emission unit”** means any part or activity of a stationary source that emits or has the potential to emit any regulated pollutant under the Clean Air Act.

#### 326 IAC 1-2-42

**“Modification”** means one (1) or more of the following activities at an existing source:

- (1) A physical change or change in the method of operation of any existing emissions unit that increases the potential to emit any regulated pollutant that could be emitted from the emissions unit, or that results in emissions of any regulated pollutant not previously emitted.
- (2) Construction of one (1) or more new emission units that have the potential to emit regulated air pollutants.
- (3) Reconstruction of one (1) or more existing emission units that increases the potential to emit of any regulated air pollutant.

#### 326 IAC 1-2-65

**“Reconstruction”**

An emission unit shall be considered to be reconstructed when the fixed capital cost of the new components exceed fifty percent (50%) of the fixed capital cost of a comparable entirely new emissions unit. The fixed capital cost of components shall reflect any exceptions granted under [40 CFR 60](#).

#### 326 IAC 2-5.5-1(b)(2)(B)

**“Chromium Rule”**

(b) On and after the effective date of this rule {Dec 25, 1998}, the rule applies to the following existing sources:

- (2) Any existing source that:
  - (B) consists of only decorative chromium electroplating tanks that use a trivalent chromium process that incorporates a wetting agent.

#### 326 IAC 8-1-6

**“BACT Rule”**

New facilities [as per [326 IAC 1-2-27](#), or emission units as per [326 IAC 1-2-23.5](#) or] (as of January 1, 1980) which have potential emissions [a *potential to emit*] of 22.7 megagrams (25 tons) or more per year, located anywhere in the state, which are not otherwise regulated by other provision of this article (326 IAC 8), shall reduce VOC (Volatile Organic Compound) emissions using the best available control technology (BACT).

326 IAC 1-2-27

**Facility Defined**

Any one (1) structure, piece of equipment, installation or operation which emits or has the potential to emit any air contaminant. Single pieces of equipment or installations with multiple emissions points shall be considered a facility for the purpose of this rule (326 IAC 1-2). [Note, the term emission unit, which has a meaning similar to facility, was added to the air rules in 1998.]

**Disclaimer**

This permit guide is intended to provide background information which should be useful in planning for a particular project that may require an environmental permit. It does not substitute for consultation with the appropriate regulatory agency and/or the appropriate rules or statute.